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02/18/2011 15:24 12038706002 COLEMAN SUDOL SAPONE PAGE 01/62

LAW OFFICES OF

COLEMAN SUDOL SAPONE, P.C.

Patents, Trademarks, Copyrights

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TELECOPY TRANSMITTAL SHEET

No. of Pages Transmitted: Cover + 62

Dated: February 18, 2011

To: Name: Examiner Barbara BadioCompany or Firm: Group 1628City/State/Country: Alexandria, VirginiaTelecopier No.: 1-571-273-8300From: H. D. ColemanAttorney's Docket No.: Y01-076 S.N. 10/676,287

Message: Dear Examiner:

Enclosed please a response to the outstanding office action, a notice of appeal, petition for extension of time and two references in support of the response which is enclosed.
Very truly yours,

Henry D. Coleman

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is transmitted to the Patent and Trademark Office on the date shown below.

Henry D. Coleman

2/18/11
Date

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PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S) : Richard Hochberg
SERIAL NO. : 10/676,287
FILED : October 1, 2003
FOR : 11 β -Short Chain Substituted Estradiol Analogs and Their Use in the Treatment of
Menopausal Symptoms and Estrogen Sensitive Cancer

Group Art Unit : 1628

Examiner : Barbara Badio

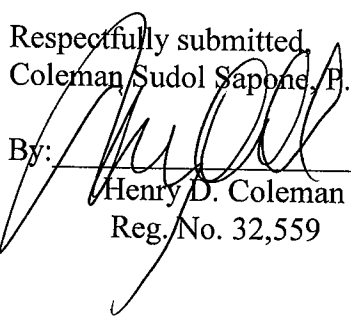
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
Mail Stop: After Final

NOTICE OF APPEAL FROM THE EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Sir:

1. Applicant hereby appeals to the Board of Appeals from the decision dated August 3, 2007 of Examiner Badio finally rejecting claims 39-75.
2. The fee of \$270.00 is authorized to be debited to Deposit Account 04-0838.
3. Applicant is: ☒ a small entity ☐ verified statement attached ☐ verified statement filed ☐ other than small entity.
4. Charge to Deposit Account 04-0838 for any additional fee required or credit for any excess fee paid.
5. A petition for an extension of time is also enclosed as is authorization to charge Deposit Account 04-0838.

Respectfully submitted,
Coleman Sudol Sapone, P.C.

By: 
Henry D. Coleman
Reg. No. 32,559

714 Colorado Avenue
Bridgeport, Connecticut 06605
Dated: February 18, 2011

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being sent by facsimile transmission to Examiner Barbara Badio in Group Art Unit 1628 of the United States Patent and Trademark Office, at P.O. Box 1450 Alexandria, Virginia 22313-1450" on February 18, 2011.


Henry D. Coleman

Notice of Appeal
Y03-076.noa

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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SERIAL NO. : 10/676,287
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FOR : 11 β -Short Chain Substituted Estradiol Analogs and Their Use in the Treatment of
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Group Art Unit : 1628
Examiner : Badio, Barbara P.
MailDrop: After Final
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

Petition for Extension

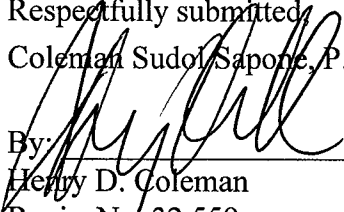
SIR:

Applicants respectfully request a three-month extension of time in which to file an amendment response to the outstanding office action, for which a three month due date was set at December 1, 2010. The extended period extends through March 1, 2011.

The fee in the amount of \$555.00 should be charged to deposit account 04-0838. If any additional fee is required or any overpayment has been made, please charge deposit Account 04-0838. Small entity status pertains to this patent application.

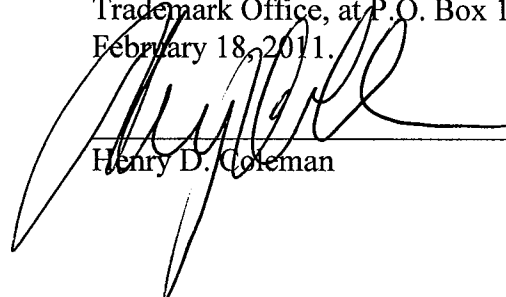
Dated: February 18, 2011

Respectfully submitted,
Coleman Sudol Sapone, P.C.

By: 
Henry D. Coleman
Regis. No. 32,559
714 Colorado Avenue
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Henry D. Coleman

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Use in the Treatment of Menopausal Symptoms and
Estrogen Sensitive Cancer

EXAMINER: Barbara P. Badio
GROUP ART UNIT: 1628
ATTORNEY DOCKET NO.: Y076US

United States Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450
Mail Stop: After Final

RESPONSE IN APPLICATION

SIR:

In response to the Office Action of September 1, 2010, Applicant respectfully requests that the Examiner consider the amendments made to the patent application as follows.

Applicant respectfully submits that the claim amendments presented herein should be entered in the application and place the application in a condition for allowance. Allowance is based upon the unexpected activity which is exhibited by the compounds in the method claims as presented herein. The declaration of Dr. Richard Hochberg, Professor of Obstetrics/Gynecology and Reproductive Sciences of the Comprehensive Cancer Center, Yale University School of Medicine, was previously enclosed in support of the non-obviousness and patentability of the present invention vis-à-vis the cited prior art.